



P/2107-264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 5804

Ferdinand Hermann Bahlmann, *et al.*

Date: December 22, 2008

Serial No.: 10/522,426

Group Art Unit: 1654

Filed: March 25, 2005

Examiner: Thomas Sweeney Heard

For: **USE OF ERYTHROPOIETIN**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is a response to the Office Action mailed June 23, 2008 in the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

Any additional fee required has been calculated as follows:

If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	EXTRA PRESENT	RATE	ADDIT. FEE
TOTAL 64	MINUS 64	* = 0	X (\$26 SE or \$52)	\$0
INDEP. 14	MINUS 14	** = 0	X (\$110 SE or \$220)	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			X (\$195 SE or \$390)	\$

* not less than 20 ** not less than 3

TOTAL \$ 0

If any additional payment is required, a check which includes the calculated fee of \$ _____
(OFGS Check No. _____) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

SUMMARY OF AMENDMENTS

1. If checked, an abstract (an amended abstract) is submitted herewith.
2. If checked, amendment(s) to the drawings are submitted herewith.
3. If checked, amendment(s) to the specification are submitted herewith.
4. If checked, amendment(s) to the claims are submitted herewith.